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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,126	07/10/2003	C. Robert Ripplinger	2409.2.1.4	2948
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PATE PIERCE & BAIRD 215 SOUTH STATE STREET, SUITE 550 PARKSIDE TOWER SALT LAKE CITY, UT 84111				
			EXAMINER JILLIONS, JOHN M	
			ART UNIT 3654	PAPER NUMBER

DATE MAILED: 05/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,126

Applicant(s)

RIPPLINGER, C. ROBERT

Examiner

John M. Jillions

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 16-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-11,13-29 and 32-38 is/are rejected.
- 7) ☒ Claim(s) 3,8,12,30 and 31 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/10/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the corrugations having the form claimed in claims 30-31 related to the constant width of the inner webs and the variable width of the outer webs must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

1. Claims 4, 10, 21, 23, 31 and 38 are objected to because of the following informalities: claim 4, line 3, "securing" should be --secured--; claim 10, line 13, "the first flange" should be deleted; claim 21, line 1, "corrugations" should be --corrugation--; claim 23, line 9, the comma should be deleted; claim 31, line 2, "various" should be --varies-- and claim 38, line 9, the comma should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-7, 9-11, 13, 16-17, 21-24, 32, 36-38 are rejected under 35 U.S.C. 102(b) as being anticipated by the French patent '739. The embodiment of Fig. 15 of the French patent includes corrugations in the core portion B as claimed as well as corrugations in the "outer" portion that extends from the core portion to the outer edge. With respect to claim 5 although the outer portion is corrugated it is substantially flat in the radial direction. Regarding claim 7 the outer portion corrugations of the French patent can also be considered "ribs" as broadly recited. With respect to claim 22 note the embodiment of Fig. 19 of the French patent wherein at least one of the corrugations in the outer portion terminate proximate a rib 55 forming part of the arbor wall.

4. Claims 1-2, 4-7, 9-11, 13, 16-24, 32, 36-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Mossberg '218. The reel of Mossberg includes corrugations w (and the webs between each of the members w) both in the outer portion and the core portion m. While the corrugations of Mossberg are somewhat curved at the outer faces of the members w thereof (see Fig. 8) they can still be considered "web portions" as recited. The remarks above concerning claims 5 and 7 apply equally to Mossberg. Regarding claim 16 while the corrugations of Mossberg are continuous from the outer portion to the core portion (the arbor wall) of the flanges, the corrugations on the outer portion can be said to "terminate" at the arbor wall or core portion as broadly recited. Regarding claim 22 the corrugations on the arbor wall of Mossberg can be broadly considered to be "ribs".

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over The French patent '739 or Mossberg '218 in view of Tisbo et al, newly cited. The particular material of which the reels of the French patent or Mossberg are made whether of metal as shown therein or some sort of polymer material such as polyethylene would have been an obvious design consideration to one of ordinary skill in the art especially since reels made of polyethylene are old and well known in the art such as in Tisbo et al, see col. 4, lines 23-24.

7. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mossberg '218 in view of Mayhew. Mayhew discloses a reel in which the corrugations 17 have interconnecting walls perpendicular to the outer and inner walls as recited in claim 25. It would have been obvious to one of ordinary skill in the art to make the corrugation members w of Mossberg rectangular in form to provide interconnecting walls that are perpendicular to the inner and outer wall portions in view of the teaching of Mayhew. Such a modification would have been obvious since such corrugations would provide more stiffness to the flanges. The inner webs of Mossberg have substantially greater area than the outer webs as recited in claim 29.

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Allowable Subject Matter

8. Claims 3, 8, 12, 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Jillions whose telephone number is (703) 308-2685. The examiner can normally be reached on M-F 9:15 - 5:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John M. Jillions
Primary Examiner
Art Unit 3654

jmj